

particular tire at an unknown relative position on the vehicle and a physical parameter sensor 14 (*i.e.*, an inertial sensor, an accelerometer, a lateral force detector, an accelerometer sensitive to lateral force, etc.) that provides information about the motion of a particular wheel on the vehicle. This data/information is then evaluated to provide the vehicle's operator with an indication that an air pressure of the particular tire at the relative mounting position is less than a proper air pressure so that peak vehicle performance and necessary maintenance may be obtained.

The Examiner contends that Bezek "teaches notification of an underinflated tire condition" and that "the underinflated tire condition corresponds to tire performance."<sup>2</sup> Be this as it may, Bezek does not teach the claimed step of "maintaining the pressure within the test tire at a desired test pressure throughout the multiple test runs with a pressure-controlling device mounted on the tire/wheel assembly." Instead, the primary purpose of the Bezek invention appears to be to simply notify the vehicle's driver of an under-inflated condition and to inform the driver of the location of the tire suffering from this condition.<sup>3</sup> Whatever Markow's teaching may be regarding motion sensors, it does not cure this shortcoming in the base Bezek reference.

Claims 12-24 have been rejected as being obvious over U.S. Patent No. 5,505,080 to McGhee in view of U.S. Patent No. 5,472,032 to Winston. McGhee is directed towards balancing pressure among respective tires in, for example, an industrial truck, wherein such balancing is important for mileage and longevity purposes. This reference does not even remotely relate to a tire-testing situation, and thus is not concerned with very refined adjustments. Specifically, McGhee does not

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2. Even if this was true, the Bezek system does not compile the "data from multiple test runs" to "evaluate tire performance." This data is instead only used to notify the vehicle's operator of an underinflated condition in a particular tire.

3. For this same reason, the applied art does not show or suggest the step of releasing gas from the tire if the tire pressure exceeds the desired test pressure by 1/36 psi (claims 2 and 3); the step of adjusting the tire pressure if the measured tire pressure is above or below the desired test pressure by at least 1/4 psi (claims 4, 7-9 and 22), at least 1/16 psi (claim 5), or at least 1/36 psi (claim 6); and/or the step of driving the vehicle so that the relevant tire rolls over a plate having instrumentation associated with the plate to measure tire properties (claim 11).

show or suggest a pressure-controlling device that is designed to adjust for pressure increases of less than 1/4 psi (claims 12, 17-21, 23 and 24), less than 1/8 psi (claim 13), less than 1/16 psi (claim 14), less than about 1/32 psi (claim 15), or about 1/36 psi (claim 16). Whatever Winston's teaching may be regarding gas sources, the reference does not overcome this deficiency in the McGee patent.

Accordingly, it is respectfully submitted that claims 1-24, are patentable over the applied art.

### **Conclusion**

In view of the foregoing, the present application is believed to be in a condition for allowance and an early indication to that effect is earnestly solicited.

Should a petition for an Extension of Time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988, Order No. FIREP9910112US.

Respectfully submitted,

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### **CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: October 16, 2002

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